


United States District Court
Middle District of Florida
Office of the Clerk of Court

APR 12, 2016
JULIA C. DOOLEY, CLERK
BY: 
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SHERYL L. LOESCH, CLERK
JIM LEANHART, DIVISION MANAGER
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April 6, 2016

Clerk of Court
United States District Court
Western District of Virginia

Re: **Transfer of Criminal Case,**
U.S. v. Martin, WDVA No. 7:16-mj-50; MDFL No. 3:16-mj-1094-PDB

Dear Sir or Madam:

Attached are certified copies of the filings in this case. Please acknowledge receipt of them by signing the attached copy of this letter and returning the signed copy of this letter to the above address. Thank you.

SHERYL L. LOESCH, CLERK

/s/ Angela Loeschen
Deputy Clerk

Attachments

Acknowledgment of Receipt

I acknowledge receipt of this letter and its attachments on 4/11/16


Signature

Kelly A. Brown
Printed Name

**U.S. District Court
Middle District of Florida (Jacksonville)
CRIMINAL DOCKET FOR CASE #: 3:16-mj-01094-PDB All Defendants
Internal Use Only**

Case title: USA v. Martin

Date Filed: 04/06/2016

Other court case number: 7:16-mj-50 Western District of
Virginia

Date Terminated: 04/06/2016

Assigned to: Magistrate Judge Patricia
D. Barksdale

Defendant (1)**David Christopher Martin***Custody**TERMINATED: 04/06/2016*

represented by **Maurice C. Grant, II**
Federal Public Defender's Office
Suite 1240
200 W Forsyth St
Jacksonville, FL 32202
904/232-3039
Fax: 904/232-1937
Email: maurice_grant@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

18:922U.F STEALING A FIREARM
FROM A LICENSED DEALER

Disposition

Plaintiff**USA**represented by **Kelly Karase**US Attorney's Office - FLM
Suite 700

300 N Hogan St

Jacksonville, FL 32202

904/301-6301

Fax: 904/301-6310

Email: Kelly.Karase@usdoj.gov

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Retained*

Date Filed	#	Docket Text
04/06/2016	<u>1</u>	ARREST (Rule 5(c)(2)) of David Christopher Martin from the Western District of Virginia on charges of 18 U.S.C. § 922(u) Theft of firearms from a federal firearms licensee's inventory. (ASL) (Entered: 04/07/2016)
04/06/2016	<u>2</u>	MINUTE entry for proceedings held before Magistrate Judge Patricia D. Barksdale: initial appearance held on 4/6/2016. (DIGITAL) (ASL) (Entered: 04/07/2016)
04/06/2016	3	ORAL MOTION to appoint counsel by David Christopher Martin. (ASL) (Entered: 04/07/2016)
04/06/2016	<u>4</u>	ORDER granting 3 oral motion to appoint counsel. The Court appoints the Federal Defender's Office to represent the defendant in this case while in this district. Signed by Magistrate Judge Patricia D. Barksdale on 4/6/2016. (ASL) (Entered: 04/07/2016)
04/06/2016	<u>5</u>	WAIVER of various Rule 5 rights by David Christopher Martin (filed in open court). (ASL) (Entered: 04/07/2016)
04/06/2016	<u>6</u>	ORDER OF REMOVAL pursuant to Rule 5(c)(2) to the Western District of Virginia. Signed by Magistrate Judge Patricia D. Barksdale on 4/6/2016. (ASL) (Entered: 04/07/2016)
04/06/2016	<u>7</u>	COMMITMENT TO ANOTHER DISTRICT the defendant is committed to District of the Western District of Virginia. Signed by Magistrate Judge Patricia D. Barksdale on 4/6/2016. (ASL) (Entered: 04/07/2016)
04/06/2016	<u>8</u>	TRANSFER Rule(5)(c)(3) to the Western District of Virginia.(ASL) (Entered: 04/07/2016)

United States District Court
Middle District of Florida
Jacksonville Division

UNITED STATES OF AMERICA

v.

No. 3:16-mj-1094-J-PDB

DAVID CHRISTOPHER MARTIN

Clerk's Minutes

Proceeding	Initial Appearance on Complaint out of WDVA and
Date	April 6, 2016
Time	3:33-49 p.m.
Judge	Patricia Barksdale, United States Magistrate Judge
Courtroom Deputy	Angela Loeschen, Courtroom Deputy
Counsel for United States	Kelly Karase, Assistant United States Attorney
Counsel for Defendant	Maurice Grant, Assistant Federal Defender
Pretrial Services Officer	Patrick Sheridan, United States Pretrial Services Officer
Filed in Open Court	Waiver of Various Rule 5 Rights
Digital/Reporter	Digital

Judge Barksdale asked Mr. Grant to appear for possible appointment.


Mr. Martin was arrested on April 5, 2016, in the Middle District of Florida on a sworn complaint, supported by an affidavit, out of the Western District of Virginia.

Judge Barksdale advised Mr. Martin of his right to remain silent.

Judge Barksdale asked Mr. Martin questions to assess competency.

Judge Barksdale advised Mr. Martin of the charge and the maximum penalties, the right to counsel, and the right to self-representation. Mr. Martin requested court-appointed counsel. Ms. Loeschen placed him under oath, and Judge Barksdale questioned him about his financial condition. Based on his responses, Judge Barksdale found that he was unable to afford counsel and appointed the Federal Defender's Office to represent him in this case while in this district. A written order will follow.

Judge Barksdale advised Mr. Martin of his right to a preliminary hearing absent an indictment, the production-of-a-warrant and identity requirements, and Federal Rule of Criminal Procedure 20.

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SHERYL L. LOESCH, CLERK
U.S. DISTRICT COURT
By: 
Deputy Clerk

Mr. Grant advised the Court that Mr. Martin waives his rights to an identity hearing and production of the warrant and any rights he has to preliminary and detention hearings in this district, reserving his right to have those hearings conducted in the Western District of Virginia. After questioning, Judge Barksdale accepted Mr. Martin's waivers, finding them knowingly, intelligently, and voluntarily made. Messrs. Grant and Martin executed and filed a written waiver. A written order will follow.

Judge Barksdale ordered Mr. Martin remanded to the custody of the Attorney General for transportation to the Western District of Virginia. A written order will follow.

FILED IN OPEN COURT
JACKSONVILLE, FLORIDA

UNITED STATES DISTRICT COURT

4-6-16

for the

Middle District of Florida

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

United States of America

v.

David Christopher Martin

Defendant

Case No. 3:16-mj-1094-J-PDB

Charging District's Case No. 7:16-mj-50

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) Western District of Virginia

I have been informed of the charges and of my rights to:

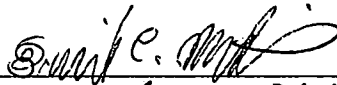
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

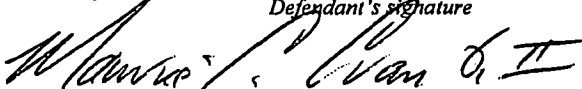
- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 4-6-2016




Defendant's signature



Signature of defendant's attorney

Maurice C. Grant, II

Printed name of defendant

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SHERYL L. LOESCH, CLERK
U.S. DISTRICT COURT
By: 
Deputy Clerk

United States District Court
Middle District of Florida
Jacksonville Division

UNITED STATES OF AMERICA,
Plaintiff,

v.

MDFL No. 3:16-mj-1094-J-PDB
WDVA No. 7:16-mj-50

DAVID CHRISTOPHER MARTIN,
Defendant.


Removal Order

The defendant appeared before the Court following his arrest in this district on a warrant and complaint out of the Western District of Virginia. The Court advised him of the charge, the penalties, and his rights. With the advice of counsel, he waived his rights to an identity hearing and the production of the warrant, and to whatever rights that he has to detention and preliminary hearings in this district, reserving the right for those hearings to be held in the Western District of Virginia. Upon finding he had made them intelligently, knowingly, and voluntarily, the Court accepted his waivers. The Court directs the clerk to expeditiously send the Western District of Virginia the documents in the CM/ECF file and then close the file.

Ordered in Jacksonville, Florida, on April 6, 2016.



PATRICIA D. BARKSDALE
United States Magistrate Judge

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U.S. DISTRICT COURT
By: 
Deputy Clerk

c: Kelly Karase, Assistant United States Attorney
Maurice Grant, Assistant Federal Defender
United States Pretrial Services Office
United States Marshal
David Christopher Martin

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

United States of America

v.

David Christopher Martin

Defendant

Case No. 3:16-mj-1094-J-PDB

Charging District's

Case No. 7:16-mj-50

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Western District of Virginia,
(if applicable) _____ division. The defendant may need an interpreter for this language:
N/A

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.


Date: 04/06/2016



Judge's signature

Patricia D. Barksdale, United States Magistrate Judge

Printed name and title

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SHERYL L. LOESCH, CLERK
U.S. DISTRICT COURT
By: 
Deputy Clerk